

**BEFORE THE APPEALS BOARD
FOR THE
KANSAS DIVISION OF WORKERS COMPENSATION**

DOIL S. WHITE

Claimant

VS.

THE BOEING COMPANY - WICHITA

Respondent

AND

AETNA CASUALTY & SURETY

Insurance Carrier

AND

KANSAS WORKERS COMPENSATION FUND

Docket No. 157,955

NUNC PRO TUNC

This Nunc Pro Tunc Order will modify the Order issued by the Workers Compensation Appeals Board on May 15, 1995, wherein claimant was awarded a twenty-five percent (25%) permanent partial general work disability for injuries suffered July 22, 1991. In the initial order claimant was awarded four hundred fifteen (415) weeks permanent partial general body work disability. The Appeals Board has been advised that at regular hearing the parties stipulated that twenty-five (25) weeks temporary total disability compensation had been paid to claimant in this matter. In the Award by Special Administrative Law Judge William F. Morrissey the twenty-five (25) weeks temporary total disability was omitted. The issue regarding the temporary total disability underpayment was not raised by the parties before the Appeals Board until subsequent to the issuance of the Appeals Board Order. A review of the file does indicate twenty-five (25) weeks temporary total disability compensation was stipulated to by the parties at the regular hearing and, as such, is appropriate to be included in the Award. The Nunc Pro Tunc Order corrects the Award of the Appeals Board to show the appropriate temporary total disability compensation paid by the respondent.

AWARD

WHEREFORE, it is the finding, decision and order of the Appeals Board that the Award of Special Administrative Law Judge William F. Morrissey of January 3, 1995, is hereby modified and an award is entered in favor of the claimant, Doil S. White, and against the respondent, The Boeing Company, and its insurance carrier, Aetna Casualty & Surety Company, and the Kansas Workers Compensation Fund for an accidental injury

occurring on July 22, 1991, and based upon an average weekly wage of \$645.52, for 25 weeks temporary total disability compensation at the rate of \$278.00 per week totaling \$6,950.00, followed thereafter by 390 weeks permanent partial general body work disability at the rate of \$107.59 per week totaling \$41,960.90 for a total award of \$48,910.90.

As of May 1, 1995, there would be due and owing to claimant 25 weeks temporary total disability compensation at the rate of \$278.00 per week totaling \$6,950.00, followed thereafter by 172 weeks permanent partial general body work disability at the rate of \$107.59 per week totaling \$18,505.48, which is ordered paid in one lump sum minus any amounts previously paid. Thereafter, the remaining 218 weeks are ordered to be paid at the rate of \$107.59 per week in the sum of \$23,454.62 until fully paid or until further order of the Director.

In all other respects the Order of the Appeals Board of May 15, 1995, remains in full force and effect.

IT IS SO ORDERED.

Dated this ____ day of August, 1995.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

c: Paul Hogan, Wichita, Kansas
Eric K. Kuhn, Wichita, Kansas
James R. Roth, Wichita, Kansas
William F. Morrissey, Special Administrative Law Judge
David A. Shufelt, Acting Director